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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,069	03/31/2004	Mlhai Florin Ionescu	24207-10108	5508

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EXAMINER	
MYINT, DENNIS Y	

ART UNIT	PAPER NUMBER
2162	

MAIL DATE	DELIVERY MODE
09/01/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/814,069	IONESCU, MLHAI FLORIN	
	Examiner	Art Unit	
	DENNIS MYINT	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 July 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12 and 14-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-12, 14-16, and 33-36* is/are allowed.

6)☒ Claim(s) *17-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 23, 2009, has been entered.

2. Claims 1-12 and 14-36 are currently pending in this Office Action. In the amendment filed on July 23, 2009, claims 1, 11, 12, 15, 17, 27-31, 34, and 36 were amended. Claims 1, 17, 34, and 36 are independent claims.

3. In light of amendments Applicant's explanation with respect to rejection of claim 14 under 35 U.S.C. 112 First Paragraph, rejection of said claim under 35 U.S.C. 112 First Paragraph in the prior office action is hereby withdrawn.

. *Claim Rejections - 35 USC § 101*

4. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 17-32 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 17 in line 1 recites "a computer-readable medium". Said "computer-readable storage medium" is given the broadest interpretation to mean computer-readable media described in the Specification of the instant application. The specification on page 6 lines 1-5 in the paragraph recites "*Also, various other forms of computer-readable media may transmit or carry instructions to a computer, including a router, private or public network, or other transmission device or channel, both wired and wireless*". As such, said computer-readable medium is directed to wireless signals and/or wired signals which are not statutory. Therefore, claim 17 is rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Claims 18-32 depend on claim 17 and rejected under 35 U.S.C. 101 because of their dependency on claim 17.

Allowable Subject Matter

6. Claims 17-32 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 101, set forth above.

As per claim 17, the prior art of record (Doganata in view of Inaba and further in view of Fain), alone or in combination, does not teach or fairly suggest the combination of steps as recited in the claim. Prior art of record does not teach the following limitations:

"(ii) storing the new result set associated with the search query in an offline accessible data store, and

(iii) outputting the new result set as a search result of the search

query;

(d) program code for is the search has been previously received,

(i) retrieving a previously stored result set associated with the search query from the offline-accessible data store, the previously stored result set comprising a plurality of categories each of which comprises one or more articles".

7. Claims 1-12, 14-16, and 33-36 are allowed.

The following is the statement of reasons for allowance.

As per claim 1, the prior art of record (Doganata (hereinafter "Doganata", U.S. Patent Application Publication Number 2003/0220913) in view of Inaba et al., (hereinafter "Inaba", U.S. Patent Number 7054860) and further in view of Fain et. al., (hereinafter "Fain", U.S. Patent Application Publication Number 2003/0220912)), alone or in combination, does not teach or fairly suggest the combination of steps as recited in the claim. Prior art of record does not teach the following limitations:

"(ii) storing the new result set associated with the search query in an offline accessible data store, and

(iii) outputting the new result set as a search result of the search query;

(d) responsive to a determination that the search query has been previously received,

(i) retrieving a previously stored result set associated with the

search query from the offline-accessible data store, the previously stored result set comprising a plurality of categories each of which comprises one or more articles".

Dependent claims of claim 1, being definite, further limiting, and fully enabled by the specification, are also allowed.

As per claim 34, the prior art of record (Doganata in view of Inaba and further in view of Fain and further in view of Denny et al., (hereinafter "Denny") (U.S. Patent Number 7082428), alone or in combination, does not teach or fairly suggest the combination of steps as recited in the claim. Prior art of record does not teach the following limitations:

"(1) determining whether an article in one of the plurality of categories has been modified after the previously stored result set was stored in the offline-accessible data store,

(2) determining whether a new article of an article type associated with the one of the plurality of categories has come into existence after the previously stored result set was stored in the offline-accessible data store".

Dependent claims of claim 34, being definite, further limiting, and fully enabled by the specification, are also allowed.

As per claim 36, the prior art of record (Doganata in view of Inaba and further in view of Fain and further in view of Denny), alone or in combination, does not teach or fairly suggest the combination of steps as recited in the claim.

Prior art of record does not teach the following limitations:

"(ii) storing the new result set associated with the search query in an offline accessible data store, and

(iii) outputting the new result set as a search result of the search query;

(d) responsive to a determination that the search query has been previously received,

(i) retrieving a previously stored result set associated with the search query from the offline-accessible data store, the previously stored result set comprising a plurality of categories each of which comprises one or more articles".

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DENNIS MYINT whose telephone number is (571)272-5629. The examiner can normally be reached on 8:30AM-5:30PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-5629.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis Myint/
Examiner, Art Unit 2162

/John Breene/
Supervisory Patent Examiner, Art Unit 2162